

### **REMARKS**

Claims 1-9 are now pending in the application. By this amendment claims 1-5 have been amended and new dependent claims 6-9 have been added. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1 and 3-5 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The Examiner objected to the claim language because the claims defined the invention in terms of "optically transformed light and dark portions." These light and dark portions are, of course, produced by the optical interference patterns produced when light is reflected from the diffraction grating formed by applicants' technique upon the optical disc. However, with the desire of making the claims more clear, applicants have amended the claim language to refer to the pits produced by the laser light as it inscribes the diffraction grating on the disc. It is believed that this language should be more clear as it corresponds to the physical structures inscribed on the disc, as shown in the Figures.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shin et al. (U.S. Pat. No. 5,498,509) in view of Arai et al. (U.S. Pat. No. 5,587,772) and Vincent (U.S. Pat. No. 6,069,645). This rejection is respectfully traversed.

The applicants' invention is for the purpose of inscribing by laser light a diffraction grating on an optical disc, to produce a holographic visual effect when light is reflected from the diffraction grating. The art of record is for quite a different purpose.

Shin relates to drawing an image on an optical disk using laser light. However, the image is of a conventional nature. It is not a holographic image. To produce a holographic image, as the applicants have taught, it is necessary to control the length of the pits and to ensure they are formed at a constant interval, so that a diffraction grating is produced. See applicants' Fig. 2C and Fig. 4 for an illustration. Shin does not do this.

Arai and Vincent are directed to forming a latent image of a laser printer, and are not clearly directed to forming a diffraction grating on an optical disc. Indeed, this art of laser printing is in a totally different technical field and thus the teachings of these references would not be obvious to combine with Shin, even if they did teach the formation of diffraction gratings.

Indeed, none of the references cited disclose achieving the holographic visual effect by inscribing a diffraction grating on an optical disk. Thus applicants submit that they have made a novel, non-obvious contribution to the art.

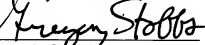
## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated:

Respectfully submitted,

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